THE BOMBAY MEDICAL PRACTITIONERS' ACT, 1938 (BOM. XXVI OF 1938).

G. N., G. D., No. 3334/33, dated 1st November 1939 (B.G., Pt. IV-A, p. 1980).

S. 29 Bombay Medical Practitioners' Rules, 1939.

Amended by G. N., G. D., No. 3334/33, dated 18th February 1942.
Amended by G. N., G. D., No. 3334/33, dated 1st September 1942.
Amended by G. N., G. D., No. 3334/33, dated 9th March 1943.
Amended by G. N., G. D., No. 3334/33, dated 23rd May 1944.
Amended by G. N., G. D., No. 3334/33, dated 16th March 1946.
Amended by G. N., H. & L. G. D., No. 3334/33, dated 7th October 1947.
Amended by G. N., H. & L. G. D., No. 3334/33, dated 29th April 1948.
Amended by G. N., H. & L. G. D., No. 2970/33, dated 24th February 1949.
Amended by G. N., H. & L. G. D., No. 3334/33, dated 4th June 1949.
Amended by G. N., H. & L. G. D., No. 6088/33(a), dated 26th October 1949.
Amended by G. N., L. S. G. & P. H. D., No. 6088/33, dated 23rd January 1950.
Amended by G. N., L. S. G. & P. H. D., No. 6088/33, dated 1st March 1950.

In exercise of the powers conferred by section 29 of the Bombay Medical Practitioners' Act, 1938 (Bom. XXVI of 1938), the Government of Bombay is pleased to make the following rules :—

I.—*Preliminary.*

1. These rules may be called the Bombay Medical Practitioners' Rules, 1939.

2. In these rules, unless there is anything repugnant in the subject or context,—

(1) " Act " means the Bombay Medical Practitioners' Act, 1938.
(2) " Appendix " means an appendix appended to these rules.
(3) " Government " means, the Government of Bombay.
(4) " Section " means a section of the Act.
(5) The words and expressions used in the Act and not defined in these rules shall have the meanings assigned to them in the Act.

II.—*Appointment of members of the Board.*

3. The Registrar shall maintain a list, containing the names of the members elected on the Board, the electorates they represent, the date of election of each such member, the term of his office, and the date of death or retirement of each such member. The list shall also contain similar particulars in regard to the members nominated by Government. The Registrar shall keep the list always up to date so that it may show at a glance when the next election or nomination as the case may be has to be made.

4. Ninety days before the expiration of the term of office of any member appointed on the Board, the Registrar shall make a report in writing regarding the vacancy to the President if the vacancy is to be in respect of an elected member and both to the President and Government if the vacancy is to be in respect of a nominated member.

5. If a vacancy occurs in the office of a member of the Board through resignation, death, removal or disability of such member or otherwise previous to the expiry of his term of office the Registrar shall make a report in writing regarding the vacancy to the President if the vacancy be in respect of an elected member and President as well as Government in case the vacancy be in respect of a nominated member.

III.—*Procedure to be observed for filling vacancies on the Board.*

6. In the case of vacancies of elected members an election shall be held to fill the vacancy. The President or any other person authorised by him in this behalf shall act as the Returning Officer for such election. If the vacancy is to occur in consequence of the expiry of the term of office of a member such Returning Officer shall some time not less than forty-two days and not more than sixty days, before the day on which the term of office of such member is due to expire or, if the vacancy has already ocurred through death, resignation, removal or disability of such member or otherwise, as soon as conveniently may be, after the occurrence of the vacancy, issue a notice to the electorate concerned, requiring the said electorate to elect a member or members by a date mentioned in the notice.

7. The following procedure shall be adopted for the filling of vacancies by election :—

(1) The Electoral Roll shall be prepared by the REGISTRAR from the Register. It shall contain the name, qualifications and address of every person qualified to vote for the election of a member to fill up the vacancy or vacancies.

(2) Candidates qualified for being elected shall be proposed and seconded by persons qualified as electors. No elector shall propose or second the nomination of more persons than are required to fill up the vacancy or vacancies. If more nominations than are required to fill up a vacancy or vacancies be subscribed by the same elector, all nominations subscribed by him shall be held to be void.

(3) The candidate shall sign the nomination paper declaring that he is willing to serve on the Board, if elected. In the absence of such a declaration the nomination shall be treated as invalid.

(4) Every proposal for nomination shall be in writing, and shall be signed by the proposer and seconder, and sent by post or otherwise, so as to reach the Returning Officer not less than forty days before such date as may be appointed by the Board in this behalf.

(4A) Every candidate shall, along with the proposal for nomination, deposit with the Returning Officer a sum of Rs. 250 in cash and he shall not be deemed to be duly nominated unless the said deposit has been made. The deposit shall be forfeited to the Board if the candidate is not elected and the number of votes recorded in his favour is less than one-eighth of the total number of votes recorded. The said deposit shall be returned if it is not forfeited under this sub-rule.

(5) Any candidate shall be at liberty to withdraw his candidature within seven days from the date of his nomination.

(6) If in case of any election the number of candidates duly nominated does not exceed the number required to fill up the vacancy or vacancies, the Returning Officer shall forthwith declare all such candidates to be elected.

(7) If in case of any such election more candidates than are necessary to fill up the vacancy or vacancies are nominated, the Returning Officer shall forthwith publish their names and addresses in the *Bombay Government Gazette* and in such other manner as the Board may deem fit, and shall further cause their names to be entered in voting papers in the Form as laid down in Appendix A.

(8) Twenty-one days before such date as may be appointed by the Board in this behalf, the Returning Officer shall send by post to each elector one such voting paper signed by the Returning Officer, a smaller blank cover with the words " Voting Paper " printed thereon and a bigger cover on which are printed on the left top corner the serial alphabetical number, and the name and signature columns at the lower left corner and the address of the Returning Officer on the said bigger cover, printed as under :—

To

The Returning Officer,
C/o Board of Indian Systems of Medicine,
Bombay 1.

(8A) An elector who has not received his voting paper and other connected papers sent by post or whose papers, before they are despatched back to the Returning Officer have been inadvertently spoiled in such manner that they cannot be conveniently used or who has lost his papers, may on his transmitting to the Returning Officer a declaration to that effect signed by himself, require the Retruning Officer to send him duplicate papers in place of those not received, spoilt or lost ; and if the papers have been spoilt, the spoilt papers shall be returned to the Returning Officer who shall cancel them on receipt. In every case, when duplicate papers are issued, a record thereof shall be kept by the Returning Officer and a mark " Duplicate " shall be placed on the bigger cover which will bear the same serial alphabetical number as was originally given to the said elector. The voting papers issued in such cases shall also be marked " Duplicate ".

(9) Before such date as may be appointed by the Board in this behalf every elector, desirous of voting, shall send his voting paper to the Returning Officer and the Returning Officer shall keep the same collected in sealed boxes :

Provided that any voting paper which is not received by the Returning Officer before 12 noon on the date so appointed for the counting of votes or which does not in any way conform to these rules shall be rejected.

(9A) The President shall nominate as scrutineers such number of members of the Board not exceeding four as he thinks fit.

(10) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the PRESIDENT in this behalf. Any candidate may also be present either in person or by an accredited representative at the counting of the votes.

(11) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate or candidates, as the case may be, to whom the largest number of votes has been given to be elected, and shall forthwith inform the successful candidate by letter of his having been elected to the Board. Every candidate who is elected shall within such period as may be specified by the Returning Officer in letter singnify to the Returning Officer his acceptance of a seat on the Board. If any candidate thus shown to be elected has withdrawn from the election, of refuses to accept a seat on the Board after election, then one of the remaining candidates to whom the next largest number of votes has been given shall be declared to have been elected in the manner prescribed above in the place of the withdrawing candidate, and the same procedure shall be followed if further vacancies are caused by withdrawal or refusal of a candidate to accept a seat on the Board.

(12) When an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any one or more of the candidates to be

declared elected, the determination of the person or persons to whom such additional vote shall be deemed to have been given shall be made by lot, to be drawn by the Returning Officer in such manner as the PRESIDENT or the person authorised by him in this behalf may determine.

(13) Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal the voting papers and all other documents relating to the election and shall retain the same with himself for a period of six months, and thereafter cause them to be destroyed.

(14) The Returning Officer shall notify in the *Bombay Government Gazette* and in such other manner as the Board may think fit, the date, time and place fixed for each of the following proceedings, namely :—

(*a*) the sending of voting papers to the electors under rule 7 (8);

(*b*) the last date for receiving voting papers and the date for the counting of the votes under rule 7 (9) and (10).

(15) The Board may, of its own motion, or on an objection made before it, declare any election, that has been held, to be void on account of corrupt practice or any other sufficient cause and may call on the electorate to make a fresh election. The decision of the Board under this rule shall be final.

(16) If any question arises as to the intention, construction, or application of this rule, which, in the opinion of the Board, should be referred to Government, the Board shall refer such question to Government, whose decision shall be final.

8. After the declaration of the election of any member and when the President himself is not the Returning Officer after the receipt by him of notice of such election from the Returning Officer the PRESIDENT shall inform Government of the same for its publication in the *Bombay Government Gazette*. The notification of the election of a member shall be read by the REGISTRAR at the next meeting of the Board, and the new member shall ther be introduced to the meeting by an existing member of the Board. The above procedure shall be adopted also in the case of a member nominated on the Board.

IV.—*Meeting of the Board.*

9. The Board shall ordinarily meet for the transaction of business on the first Monday in the months of February and September in each year.

10. An extraordinary meetin15 g of the Board of whichdays' notice shall be given may be summoned by the PRESIDENT at any time, and shall be summoned by him on a written requisition signed by not less than five members of the Board.

11. All meetings of the Board shall be convened by the Registrar by a summons addressed to each member, stating the time and place of the meeting.

12. The summons convening any meeting shall declare the purpose of the meeting, wether it is general business or any (named) special business, and, at any meeting which is convened for special business, no other business than that specfied in the summons shall be transacted, unless the Board by a resolution at the meating agrees to consider any further business.

13 Prior to any meeting of the Board the Registrar shall under the instructions of the President, prepare a programme of business, and shall furnish a copy thereof to each member of the Board, not less than ten days before the day of the meeting and at the same time forward to all members of the Board copies of the documents and evidence in any cases for disciplinary action to be brought before the Board during that session.

14. Notice of any motion to be inserted in the programme of business of the February or September session must be sent to the Registrar at least fifteen clear days before the beginning of the session.

15. (1) A motion shall not be admissible—

(*a*) if the matter to which it relates is not within the scope of the Board's functions ; or

(*b*) if it raises substantially the same question as a motion or amendment which had been moved and either decided or withdrawn with the leave of the Board within six months of the date of the meeting at which it is designed to move the new motion ; or

(*c*) unless it is clearly and precisely expressed and raises substantially only one definite issue ; or

(*d*) if it contains arguments, inferences, ironical expressions or defamatory statements.

(2) The President shall disallow any motion which in his opinion is inadmissible under sub-rule (1) :

Provided that if a motion can be rendered admissible by amendment the President may, in lieu of disallowing the motion, admit it in an amended form.

(3) When the President disallows or amends a motion the Registrar shall inform the member who gave notice of the motion of the order of disallowance or, as the case may be, of the form in which the motion has been admitted.

16. Notwithstanding anything contained in rules 13 and 14, the President may in his discretion—

(*a*) admit for discussion at any meeting a motion notice of which has not reached the Registrar in time for inclusion in the programme of business sent under rule 13,

(*b*) allow a motion to be discussed at a meeting notwithstanding the fact that notice was received too late to amit of compliance with rule 14.

V.—*Conduct of business at meetings.*

17. (1) Every meeting of the Board shall be presided over by the President or, if he is absent, by a Chairman to be elected by the members present from among themselves.

(2) In this Part all references to the President shall be read as references to the person for the time being presiding over a meeting.

18. For a meeting of the Board eight members including the President or Chairman shall form a quorum. If at the time appointed for a meeting a quorum is not present the meeting shall not commence until a quorum is present and if a quorum is not present on the expiration of 20 minutes from the time appointed for the meeting, the meeting shall stand adjourned to such future date as the President may appoint.

19. (1) Every matter to be determined by the Board shall be determined on a motion moved by a member and put to the Board by the President.

(2) Votes shall be taken by voices, show of hands or division as the President may direct :

Provided that votes shall be taken by division if any member so desires.

(3) The President shall determine the method of taking votes by division.

(4) The result of a division shall be announced by the President and shall not be challenged.

(5) In the event of an equality of votes the President shall, in addition to his vote as a member of the Board, have a second or casting vote.

20. When motions identical in purport stand in the names of two or more members the President shall decide whose motion shall be moved and the other motion or motions identical in purport shall not thereupon be moved.

21. After a motion has been moved any member may, subject to the provisions of rules 22 and 23, move an amendment to the motion :

Provided that the President shall not allow an amendment to be moved which, if it had been a substantive motion, would have been inadmissible under rule 15.

22. (1) An amendment must be relevant to, and within the scope of, the motion to which it is proposed.

(2) An amendment may not be moved which has merely the effect of a negative vote.

(3) The President may refuse to put an amendment which is in his opinion frivolous.

23. (1) If notice of an amendment has not been given two clear days before the date on which the motion is moved, any member may object to the moving of the amendment and the objection shall prevail, unless the President allows the amendment to be moved.

(2) The Registrar shall, if time permits, cause a copy of every amendment to be made available for the use of every member.

24. Every motion or amendment shall be seconded and, if not seconded, shall be deemed to have been withdrawn.

25. (1) When any motion or amendment is under debate no proposal with reference thereto shall be made other than -

(*a*) an amendment of the motion or of the amendment as the case may be ;

(*b*) a proposal for the adjournment of the debates on the motion or amendment or both either to a specified time or *sine die ;*

(*c*) a motion for the closure, namely, a motion that the question be now put.

(2) It shall be in the discretion of the President to put or refuse to put to the Board a proposal of the nature referred to in clause (*b*) of sub-rule (1).

(3) Unless the President is of opinion that a motion for the closure is an abuse of the right of reasonable debate he shall forthwith put a motion that the question be now put and if that motion is carried the substantive motion or amendment under debate shall be put forthwith :

Provided that the President shall allow the mover of the substantive motion to exercise his right of reply before the substantive motion under debate is put.

26. A motion or an amendment which has been moved shall not be withdrawn save with the leave of the Board which shall not be deemed to be granted, if any member dissents from the granting of leave.

27. (1) When a motion has been moved and seconded, members other than the mover and seconder may speak on the motion in such order as the President may direct :

Provided that the seconder may, with the permission of the President, confine himself, to seconding the motion and speak thereon at any subsequent stage of the debate before the final reply.

(2) No member, other than the mover who shall be entitled to a final right of reply, shall speak more than once on any motion except with the pemission of the President and for the purpose of making an explanation or putting a question to the member addressing the Board :

Provided that a member who has spoken on a motion may speak again on an amendment subsequently moved to the motion.

(3) No member shall, save with the permission of the President, speak for more than ten minutes :

Provided that the mover of a motion when moving the same may speak for twenty minutes.

(4) A speech shall be strictly relevant and confined to the subject-matter of the motion on which it is made.

(5) The business of the Board shall be transacted in English, but any member who is unacquainted or feels that he is not sufficiently acquainted with English may address the Board in any recognised language of the State.

28. (1) A member desiring to make any observations on any matter before the Board shall speak from his place, shall rise when he speaks and shall address the President.

(2) If at any time the President rises, any member speaking shall immediately resume his seat.

29. No member shall be heard except upon the business before the Board or with the special permission of the President in personal explanation in connection with some previous debate.

30. (1) When an amendment to any motion is moved or when two or more such amendments are moved, the President shall, before taking the sense of the Board, thereon, state or read to the Board the terms of the original motion and the amendment or amendments proposed.

(2) It shall be in the discretion of the President to put first to the vote either the original motion or any of the amendments which may have been brought forward.

31. When any motion involving several points has been discussed, it shall be in the discretion of the President to divide the motion, and put each or any point separately to the vote as he may think fit.

32. (1) The President may at any time adjourn any meeting to any future day or to any hour of the same day.

(2) Whenever a meeting is adjourned to a future day, the Registrar shall, if possible, send notice of the adjournment to every member who was not present at such meeting.

(3) When a meeting has been adjourned to a future day, the President may change such day to any other day, and the Registrar shall send written notice of the change to each member.

(4) At a meeting adjourned to a future day any motions standing over from the previous day shall, unless the President otherwise directs, take precedence of new matter.

32A. The President, whenever it appears to him unnecessary to convene a meeting, may instead of so doing, circulate a written proposition with the reasons for such proposition for the observations and votes of the members of the Board.

33. If any question arises with reference to the interpretation of the rules in this Part or with reference to procedure in respect of a matter for which the said rules make no provision, the President shall decide the same and his decision shall be final.

VI.—*Minutes.*

34. The proceedings of the meetings of the Board shall be preserved in the form of printed minutes which shall be authenticated, after confirmation, by the signature of the President.

35. A copy of the minutes of each meeting shall be sent to each member within thirty days of the meeting.

36. The minutes of each meeting shall contain such motions and amendments as have been moved and adopted, or negatived, with the names of the mover and the seconder, but without any comment and without any record of any observation made by any member at the meeting.

37. The minutes shall be deemed to have been confirmed if no objection to their correctness is received by the Registrar from any member within thirty days of the despatch of a copy of the minutes to a member in accordance with rule 35. If any such objection is received, confirmation of the minutes shall await the next meeting of the Board.

38. The minutes of the Board shall, as soon as is practicable after their confirmation, be made up in sheets and consecutively paged for insertion in a volume, which shall be permanently preserved.

VII.—*Executive Committee.*

39. The Executive Committee of the Board shall consist of the President and six members of the Board elected by ballot at the first meeting of the Board in each year.

40. The Executive Committee shall ordinarily meet once every three months on such date as may be fixed by the President.

41. For a Meeting of the Executive Committee four members including the President or Chairman shall be a quorum.

42. If there is any vacancy in the Executive Committee the Committee shall itself fill up such vacancy by election of a member of the Board in such vacancy except in cases where a summons has been issued for a meeting of the Board before the occurrence of such vacancy when the Board itself shall by election fill up the vacancy on the Committee. If any member of the Executive Committee is absent from two consecutive meetings without the leave of the Committee he shall *ipso facto* cease to be a member of the Committee. If the period of absence exceeds three months, a vacancy shall be deemed to have been created.

43. The proceedings of meetings of the Executive Committee shall be preserved in the form of printed minutes which shall be authenticated, after confirmation, by the signature of the President.

44. The Registrar shall be entitled to leave according to the Bombay Civil Service Rules. In the case of the death of the Registrar or his incapacity from illness or his proceeding on leave for more than one month, a person may be appointed to perform temporarily the duties of the Registrar.

45. The Executive Committee shall superintend the publication of the Register and the list of persons in practice on 10th March 1938 which shall be prepared by the Registrar. A statement of the distribution of the copies of the Register and the list to Government Officers as approved by Government and to others, as may be directed by the Executive Committee shall be added to the Register and the list as printed.

46. The Executive Committee shall order each year such number of copies of the Register and the list to be printed as may seem to the Registrar to be required on a revision of the annual distribution list.

47. The Executive Committee shall consider and prepare reports upon any subjects, that may seem to require the attention of the Board, and such reports shall be printed and circulated among the members of the Board at least ten days before the meeting of the Board at which the subject is to come up for discussion.

48. [*Deleted.*]

49. [*Deleted.*]

50. The printing of the volumes of Minutes shall be done under the direction of the Executive Committee.

51. All petitions presented to the Board shall be referred to the Executive Committee to be examined and reported upon before being considered by the Board.

52. Subject to the provisions of the last preceding rule, all petitions addressed to the Board immediately before or during the session of the Board shall be laid upon the table.

53. [*Deleted.*]

54. [*Deleted.*]

55. The Executive Committee shall prepare reports on such subjects as may be indicated to it by the Board at its meetings, or by the President at other times. The reports, when finally approved by the Committee, shall be presented to the Board.

56. The scale of fees for attendance at meetings of the Board and of the Executive Committee, and the travelling expenses for such attendance, shall be paid at the rates set forth in the following rules.

57. The rate of payment for attendance at any meeting of the Board shall be the same for all members of the Board.

58. Every member shall be entitled to a fee of Rs. 15 for each day of attendance at a meeting of the Board.

59. The travelling expenses of members shall be paid as follows :—

(*i* Officials who are Government servants may draw the travelling and halting allowances which they may be entitled to claim for travelling on official duties according to their grades under the Fundamental Rules or the Bombay Civil Services Rules as the case may be.

[1](*ii*) A non-official member shall draw travelling allowance according to rule 1 1) (*b*) in section 1 of Appendix XLII-A to the Bombay Civil Services Rules Manual, Volume II.

N.B.—If a member actually travels throughout the period of 24 hours between midnight and midnight, a halting allowance shall not be admissible to him on the

[1] This rule took effect from 1st January 1947.

other hand, if he halts for less than 24 hours for a meeting he shall be entitled to such allowance, provided no halting allowance shall be admissible for halts of less than twelve hours' duration.

60. The fees for attendance at meetings of the Executive Committee shall be 15 rupees a day, in addition to the usual travelling expenses as under rule 59.

VII-A.—*Sub-Committee.*

60-A. The Board may appoint sub-committees from amongst its members to report upon any matters which it may deem necessary to refer to them.

60-B. The members of a sub-committee appointed under rule 60-A shall not be entitled to any fee for attending any meeting of the sub-committee. They shall be entitled to travelling expenses under rule 59.

VIII.—*Registrar.*

61. The salary of the Registrar shall with effect from the 1st day of January 1947, be Rs. 200—10—300 per mensem, and he shall receive such allowances as may be admissible to a Government servant on the same salary under the Bombay Civil Services Rules when required to go outside the City of Bombay in connection with the business of the Board.

61-A. The Provident Fund Regulations of the Board of Indian Systems of Medicine Bombay, shall apply to the Registrar.

62. The appointment of the Registrar shall be on probation for the first two years, after which he will be confirmed by the Board with the previous approval of Government if the Board is satisfied as to his efficiency and general conduct. The probationary period may however, be further extended by one year, if considered necessary by the Board.

63. The Registrar shall keep the Register in accordance with the provisions of the Act and these Rules and the Regulations of the Board.

64. The Registrar shall be present at every meeting of the Board and of the Executive Committee, and shall take minutes of the proceedings at such meetings.

65. The Registrar, as Secretary of the Board, shall conduct and have charge of the correspondence of the Board, and shall issue all requisite notices in the manner required under these rules.

66. The Registrar shall fulfil all the duties that may be required of him by these rules and the regulations for the time being of the Board.

67. The Registrar shall, except on public holidays, attend the office from 10-30 a.m. to 5-30 p.m. on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays, and from 10-30 a.m. to 2 p.m. on Saturdays, and at such other times as may be necessary, and shall not remain absent from his duties except with the permission of the President.

68. The Registrar shall have the general control of the management of the office, authority over the clerks and servants and shall superintend the building.

IX.—*Maintenance of Register.*

69. [*Deleted.*]

70. [*Deleted.*]

71. The Registrar shall keep the Register and the list in accordance with the provisions of sections 15 and 18 and shall enter therein in alphabetical order the names of all practitioners registered under the Act with all the relevant particulars required under the said sections.

72. The Registrar shall enter in the Register—on payment of a fee of Rs. 5 in respect of each entry—any additional qualifications approved by the Faculty and obtained by a registered Ayurvedic or Unani practitioner.

73. Each page of the Register shall be verified by the Registrar's signature.

74. Any appeal to the Board against the refusal of the Registrar to register in the case of first registration, or to alter any existing entry in the Register, shall state the grounds on which registration or alteration is claimed and furnish the names of the qualifications and the dates on which they were received. On receipt of such appeal, the Executive Committee shall conduct an enquiry and submit a report to the Board.

75. Every person whose name has been entered on the Register shall be entitled to receive from the Registrar a Certificate of Registration on payment of a fee of Re. 1. Such certificate shall set forth the full name of the person registered, his designation, his address, the date and place of registration and the qualifications in respect of which he has been registered. Such certificate shall be in the Form as laid down in Appendix B.

76. No application for a duplicate certificate of the original registration in the Register shall be entertained but a certificate in the form as laid down in Appendix C may be issued to any one on payment of a fee of Rs. 2.

77. A fee of Rs. 5 shall be levied for registering a change of name in the Register.

78. (1) Every application by a registered practitioner for the removal of his name from the Register at his own request shall be accompanied by a declaration in the form in Appendix F to be made by the applicant that he is not aware of any proceedings or of any reason for the institution of any proceedings which might result in establishing some cause for the removal of his name from the Register without his consent, or for depriving him without his consent of any qualification or licence entitling him to be registered.

(2) The application shall also be accompanied by an undertaking in the form in Appendix G by the applicant that he shall not apply for registration either in Bombay or in any other State in India within a period of two years from the date of the removal of his name, also that he will submit testimonials of two registered practitioners who know him to the effect that he has not committed any act during a period extending from one year previous to the removal under sub rule (1) and application for re-registration which might result in establishing some cause for the removal of his name from the Register without his consent, or in depriving him without his consent of any qualification or licence entitling him to be registered in case he were to apply for registeration after that period.

(3) Every application under sub-rule (1) shall, in the first instance, be referred by the Registrar to the Medical Authorities who granted the applicant his qualification or qualifications, to ascertain whether there is any valid objection to such removal.

(4) The Registrar shall bring such application before the next meeting of the Board or Executive Committee, who will consider the application and any objections thereto, and the President may put from the Chair the question "whether the Registrar shall remove the applicant's name from the Register."

(5) The Registrar shall, upon the removal of the applicant's name from the Register, send notice of such removal to the applicant by a letter addressed to his registered address.

79. The Executive Committee shall re-enter in the Register, if it sees fit, the name of any person which may have been removed therefrom under section 15 but no application for the restoration to the Register of the name of a person which has been removed under section 15 shall be entertained, unless it be accompanied by a declaration in the form in Appendix H made by the applicant setting forth the facts of the case, and stating that he is the person originally registered, and unless it be accompanied also by a certificate in the form in Appendix I as to his identity from two practitioners registered under the Act or in the case of an applicant residing abroad a certificate as to his identity signed by two persons, who shall be magistrates or officers holding a commission in one of Government Services, Civil, Naval or Military or Justices of the Peace or two resident practitioners registered under the Act. A fee of Rs. 5 shall be levied for the registration of practitioners whose names have been removed from the Register under section 15.

80. The Registrar shall once in every five years cause to be printed and published, in the same form as the original Register itself, a correct list of all persons whose names appear in the Register on the 31st December preceding. The Registrar shall keep an interleaved copy of such printed list wherein he shall make, during the year, any entry, alteration or erasure that may be necessary.

81. There shall be shown in the printed list referred to in the last preceding rule,—

(1) the total number of registered practitioners registered in the Register;

(2) the number of registered practitioners added during each of the preceding five years;

(3) the number of registered practitioners whose names have been discontinued during the same period;

(4) the number of registered practitioners removed during the same period from the Register, and the section of the Act under which the name was removed; and

(5) the number of registered practitioners removed during the same period on account of death.

X.—*Penal Removals from the Register.*

82. Whenever information reaches the office of the Board that a registered practitioner has been convicted of a cognizable offence as specified in sub-section (*3*) of section 16, or has been censured by any judicial or other competent authority in relation to his professional character, or has been guilty of conduct which *prima facie* constitues infamous conduct in his professional capacity or is contrary to the code of medical ethics approved by the Board, the Registrar shall make an abstract of such information and shall submit the same to the President.

83. Where the information in question is in the nature of a complaint by a person or body charging the practitioner with infamous conduct in his professional capacity, such a complaint shall be made in writing addressed to the Registrar, and shall state the grounds of complaint and shall be accompanied by one or more declarations as to the facts of the case.

84. Every declaration must state the description and true place of abode of the declarant, and where a fact stated in a declaration is not within the personal knowledge of the declarant, the source of the information and grounds for the belief of the declarant in its truth must be accurately and fully stated. Declarations or parts of declarations which are made in contravention of this rule will not be accepted as evidence.

85. The abstract and, where a complaint, has been lodged, the complaint and all other documents bearing on the case, shall be submitted by the Registrar to the President, who shall, if he thinks fit, instruct the Registrar to ask the practitioner by means of a registered letter for any explanation he may have to offer. The documents, including any explanation forwarded by the practitioner to the Registrar, shall then be referred to the Executive Committee, who shall consider the same, and shall have power to cause further investigation to be made and further evidence to be taken, and to refer the case, if necessary, to the legal adviser to the Board for his advice and assistance, and to instruct him to take the opinion of counsel, and otherwise to obtain such legal advice and assistance as it may think fit. If the Committee is of opinion that a *prima facie* case is not made out, the case shall not be proceeded with further, and the Registrar shall inform the complainant of the Resolution of the Committee. If the Committee is of opinion that the circumstances suggest that a letter of warning be sent, the Committee may do so. If the Committee resolves that the case is one in which an inquiry ought to be held, the President shall direct the Registrar to take steps for the institution of an inquiry, and for having the case heard and determined by the Board.

86. An inquiry for removal of a name from the Register under sub-section (*3*) of section 16 shall be instituted by the issue of a registered notice in writing, on behalf of the Board, by the Registrar addressed to the practitioner. Such notice shall specify the nature and particulars of the charge, and shall inform him of the day on which the Boad intends to deal with the case, and shall call upon the practitioner to answer the charge in writing and to attend before the Board on such day. The notice shall be in the form given in the Appendix D, with such variations as circumstances may require, and shall be sent three weeks before the date of inquiry and shall be accompanied by a copy of sub-section (*3*) of section 16 and of the following rule.

87. In every case in which the Executive Committee resolves that an inquiry shall be instituted and a notice for an inquiry is issued accordingly, eitherparty shall, for the purpose of his defence or reply, as the case may be, and upon request in writing for that purpose signed by himself or his legal adviser, be entitled teo be supplied by the Registrar with a copy of any declaration, explanation, answer or other document given or sent to the Board by or on behalf of the other party, which such other party will be entitled on proper proof to use at the hearing as evidence in support of or in answer to the charge specified in the notice of inquiry; and every notice of inquiry shall draw the particular attention of the practitioner to this rule.

88. Any answer, evidence, or statement forwarded, or application made, by the practitioner between the date of the issue of the notice and the day named for the hearing of the charge, shall be dealt with by the President in such manner as he, under legal advice may think fit.

89. All material documents which are to be laid before the Board as evidence in regard to the case shall be printed and a copy shall be furnished to each member of the Board before the hearing of the case.

90. At the hearing of the case by the Board, its legal adviser may be present to advise it as to the conduct of the case. The complainant and also the practitioner may be represented or assisted by his legal advisers.

91. Where on the day of the hearing a complainant appears personally or by his legal adviser the following shall be the order of procedure :—

(1) The Registrar shall read to the Board the notice of the inquiry addressed to the practitioner.

(2) The complainant shall then be invited to state his case by himself or by his legal adviser and to produce his proofs in support of it. At the conclusion of the complainant's proofs his case will be closed.

(3) The practitioner shall then be invited to state his case by himself or by his legal adviser and to produce his proofs in support of it. He may addresss the Board either before or at the conclusion of his proofs, but only once.

(4) At the conclusion of the practitioner's case, the Board will, if the practitioner has produced evidence, hear the complainant in reply on the case generally, but will admit no further evidence except in any special case in which the Board may think it right to receive such further evidence. If the practitioner produces no evidence the complainant will not be heard in reply except by special leave of the Board.

(5) Where a witness is produced by any party before the Board, he will be first examined by the party producing him, and then cross-examined if necessary by the adverse party, and then re-examined if necessary by the party producing him. The Board shall have the right to decline to admit in evidence any declaration where the declarant is not present for or declines to submit to cross-examination.

(6) The President and the legal adviser, when present, may put questions to any witness, and members of the Board, through the President, may also put questions to any witness.

92. Where there is no complainant or no complainant appears on the day of the hearing, the following will be the order of procedure :—

(1) The Registrar will read to the Board the notice of inquiry addressed to the practitioner, and will state the facts of the case and produce before the Board the evidence by which it is supported.

(2) The practitioner will then be invited to state his case by himself or by his legal adviser and to produce his proofs in support of it. He may address the Board either before or at the conclusion of his proofs, but only once.

(3) The legal adviser to the Board may be heard in reply if the Board so desires.

93. Upon the conclusion of the case, the Board will deliberate thereon in camera and at the conclusion of the deliberations the President shall, for the purpose of

summing up the result of the deliberations, call upon the Board to vote on such of the following resolutions to be put from the chair as may be applicable to the circumstances of the case :—

(1) In the case of a practitioner who has been convicted of a cognizable offence :—

That *has been proved to have been convicted of a cognizable offence as defined in the Code of Criminal Procedure, 1898, alleged against him in the notice of inquiry.*

(2) In the case of a practitioner charged with infamous conduct in a professional capacity :—

(*a*) *That the Board do now proceed to decide whether the facts alleged against in the notice of inquiry have been proved or have not been proved.*

If this resolution is carried, the Board shall be called upon by the President to vote on the following resolution to be put from the chair :—

(*b*) *That the facts* [*or the following facts* (*specifying them*)] *alleged against in the notice of inquiry have been proved to the satisfaction of the Board.*

If this resolution is carried, the Board may either proceed to judge whether, on the facts proved, the accused practitioner has been guilty of infamous conduct in a professional capacity and if so to direct the Registrar to remove his name from the Register, or may postpone its judgment and adjourn the case until the next or some other session.

(3) In the case of a practitioner convicted of a cognizable offence or charged with infamous conduct in a professional capacity, for the purpose of deciding whether or not the judgment of the Board on the conviction (or facts) proved shall be postponed, the Board shall be called upon by the President to vote on the following resolution to be put from the chair :—

(*c*) *That the Board do now proceed to pronounce its judgment on the conviction* (*or facts*) *proved against—*

If this resolution is not carried, the judgment of the Board will stand postponed till the next or some other future session of the Board as the Board shall direct, and the case will be taken at such next or other session as a case in which judgment has been postponed.

If this resolution is carried, the Board shall proceed at once to pronounce its judgment on the case, and shall be called upon by the President to vote upon the following resolution to be put from the chair :—

In the case of a conviction :—

(*d*) *That* *having been proved to have been convicted of a cognizable offence alleged against him in the notice of inquiry, the Registrar be directed to remove his name from the Register.*

In the case of a practitioner charged with infamous conduct in a professional capacity :—

(*e*) *That the Board do now judge* *to have been guilty of infamous conduct in a professional capacity, and do direct the Registrar to remove from the Register the name of*

If resolution (*d*) or (*e*) as the case may be, is not carried, the President may announce the judgment of the Board in the form :—

That the Board does not see fit to direct the Registrar to remove from the Register the name of

94. In the event of an adjournment of the hearing, or of a postponement of the judgment, to another session, the Board, on the case coming on again for consideration, may hear the practitioner, and the complainant (if any), and receive such further evidence in relation to the charge, and in relation to the conduct of the accused practitioner subsequent to the last hearing of the charge by the Board, as it may think fit.

Notice in writing shall be given by the Registrar to the practitioner, and to the complaint (if any), of the day fixed for the further consideration. The notice shall request the attendance of the practitioner on that day before the Board; and the complainant and the practitioner shall each be requested to furnish to the Registrar in writing, not less than fifteen days before the day so fixed, a statement in writing of any further facts or evidence which he may desire to be laid before the Board. The notice shall be given so as to allow at least twenty-eight days between the day on which the notice is given and the day appointed for the further consideration. No further facts or evidence presented by a party to the inquiry shall be received or considered by the Board, unless a statement thereof has been previously furnished to the Registrar in compliance with this rule.

95. (1) On the case coming up before the Board for further consideration, the legal adviser to the Board, if present, or the Registrar, when the legal adviser is not present, shall, if necessary, state the facts and explain the position of the case to the Board. The practitioner shall then be invited to address the Board, either personally or by his legal adviser and lay before the Board any further facts or evidence of which he may have duly given notice to the Registrar; and the complainant (if any) shall then be invited to address the Board, either personally or by his legal adviser and lay before the Board, any further evidence of which he shall have duly given such notice.

(2) At the conclusion of the further hearing, the Board shall deliberate on the case in camera; and at the conclusion of the deliberations the President shall call upon the Board to vote in an adjourned case on the same resolution as at the original hearing, and in a case in which judgment was postponed on resolutions (*c*) and (*d*) or (*c*) and (*e*) in rule 93, as the case may be.

96. When the Board has received notice from a licensing body that any qualification has been duly and legally withdrawn from a registered practitioner by such body, the Board shall, if it thinks fit, by formal resolution put by the President from the chair, direct the Registrar to remove such qualification or qualifications from the Register as appertain to such medical practitioner.

97. If, under the direction of the Board, all the qualifications of any registered practitioner have been removed from the Register, then the Board shall, if it thinks fit, by formal resolution put by the President from the chair, direct the Registrar to remove the name of such practitioner from the Register.

98. The Registrar shall, upon the removal of any name from the Register, pursuant to the provisions of the preceding rules, or of a direction made under sub-section (3) of section 16, forthwith send notice of such removal to the practitioner, and such notice shall be sent by a registered letter addressed to the

last known address, or to the registered address of the practitioner. The Registrar shall also send, forthwith, intimation of any such removal to the Dean or Secretary or other proper officer of any body or bodies from which the practitioner had received his qualification or qualifications.

99. The Registrar shall, within one month after any names have been removed from the Register by order of the Board under a direction made under sub-section (*3*) of section 16 send to the bodies concerned a list of all such names, and shall call the attention of each licensing body to the following rule of the Board :—

"The Board recommends that no person whose name has been once removed from, and has not been restored to, the Register shall, without previous reference to it, be admitted to an examination for any new qualification which is registerable in the Register."

XI.—*Restoration of names to the Register.*

100. Applications for re-entering in the Register a name removed under sub-section (*3*) of section 16 shall be entertained at the next session of the Board.

101. If any person whose name has been removed from the Register by direction of the Board and who makes application to the Board for re-entering his name in the Register, the following shall be the procedure :—

(*i*) The application shall be in writing, addressed to the Board, and signed by the applicant, and must state the grounds on which the application is made.

(*ii*) No application for re-entering in the Register the name of a person which has been removed under a direction made under sub-section (*3*) of section 16 shall be entertained unless it is accompanied by a declaration made by the applicant setting forth the facts of the case, and stating that he is the person originally registered, and by a certificate from two practitioners registered under the Act as to his identity, or in the case of an applicant residing outside the State of Bombay an identity certificate signed by two persons who shall be magistrates or officers holding a commission in one of Government. Services, civil, naval or military, or Justices of the Peace, or two practitioners registered under the Act and resident in this State.

(*iii*) The statements in the application must also be verified by certificates in writing, to be given by a Justice of the Peace and by a registered practitioner resident in the neighbourhood where the applicant had been residing since his removal, who were and are well acquainted with him before and since the removal of his name, and they must testify to his present good character.

(*iv*) On receipt of the application, it shall be referred by the Registrar to the Executive Committee, for consideration and report. Before an application is considered by the Committee, the Registrar shall notify the same to the licensing bodies whose qualifications were held by the applicant at the time his name was removed ; and shall further, by letter addressed to the person or body (if any) on whose complaint the applicant's name has been erased, give notice of the application and of the time when the Committee intends to consider the same.

(*v*) The Executive Committee shall consider the application and may, if it thinks fit, adjourn the consideration to a future date or require further evidence or explanations from the applicant.

(*vi*) The Executive Committee shall *in camera* consider the application and submit a report upon it to the Board embodying in such report such recommendations as the Committee may think fit to make together with the reasons for the recommendations.

(*vii*) The declaration and certificate under sub-rule (*ii*) shall be in Forms 1 and 2 given in Appendix E with such variations as circumstances may require. The certificate of identity shall be in Form 3 in the said Appendix E. Printed forms shall be kept by the Registrar who shall supply them to intending applicants.

XII.—*Certain provisions applicable to practitioners in practice on the 10th March 1938.*

102. The provisions of Parts X and XI shall apply *mutatis mutandis* to practitioners whose names are entered in the list of persons in practice on the 10th March 1938, maintained under section 18.

XIII.—*Corporate Seal.*

103. The Board shall have a corporate seal and the seal shall be kept in a box having two different locks. The key of one of these locks shall be in the custody of the President, and that of the other in the custody of the Registrar.

104. The seal shall be affixed only by order of the Board or, when the Board is not sitting, by order of the Executive Committee; but its use by such Committee shall be limited to such acts as may be necessary to carry into effect the powers delegated and duties entrusted to it by the Board.

105. Any order for affixing the seal shall state the object of its use, and shall be entered in the minutes of the Board or of the Executive Committee, as the case may be.

XIV.—*Application of fees.*

106. An account shall be opened in the Imperial Bank of India, Bombay, in the name of the Board and all monies of the Board shall be deposited in the Bank, subject to the reservation mentioned in rule 107.

107. The Registrar shall receive all monies payable to the Board. He shall not retain in his hands a sum exceeding Rs. 200, the balance being lodged in the Bank to the credit of the Board.

108. The Registrar shall in the month of July in each year prepare a statement of the income and the expenditure of the preceding financial year ending 31st March and draw the attention of the Board to such matters as seem deserving of notice.

109. The annual accounts shall be made up by the Registrar under the direction of the Executive Committee. They shall be audited by the Local Fund Audit Department as soon as possible after the close of each financial year.

110. In the month of September in each year an estimate of the revenue and of the expenditure of the Board for the year commencing on 1st April next ensuing, shall be laid before the Board.

111. Such estimate shall make provision for the fulfilment of the liabilities of the Board and for effectually carrying out its objects. It shall include on its revenue side, besides all revenue ordinarily anticipated, such grant as Government may allot and all fees received from registration and other sources.

112. The Board shall consider the estimate so submitted to it and shal sanction the same either unaltered or subject to such alteration as it may deem fit.

113. The Board may at any time during the year for which any estimate has been sanctioned cause a supplementary estimate to be prepared and submitted to it. Every such supplementary estimate shall be considered and sanctioned by the Board in the same manner as if it were an original annual estimate. No expenditure shall be incurred by the Board which is not duly provided for in the budget or in a supplementary budget estimate.

114. A bill or other voucher presented as a claim for money shall be received and examined by the Registrar. If the claim be for a sum not exceeding Rs. 50, and the bill is in order, he shall pay it. If the claim be for a sum exceeding Rs. 50 payment shall not be made until it has been examined and passed by the Executive Committee.

115. The Registrar shall immediately bring into account in the general cash book all monies received or spent by the Board.

115-A. Any money received by the Board in advance towards payment of fees shall, if not claimed by the person entitled thereto within a period of three years, be credited at the end of the month of March next following to the account of the Board.

116. All cheques on the Bank shall be signed by any one member of the Executive Committee and by the Registrar.

XV.—*Renewal Fees.*

117. Each practitioner whose name was entered in the Register or list on or before 26th October 1949, shall pay in advance a renewal fee of rupees five every three years for the continuance of his name in the Register or list, as the case may be, the first of such renewal fee being payable before the 31st December 1951 for the period of three years beginning with the 1st January 1952.

118. The entry of the name of a person in the Register or list under section 15 and section 18 respectively made after 26th October 1949 shall remain valid for the calendar year in which the name has been entered in the Register or list, as the case may be, and for two immediately succeeding calendar years, and shall be renewable every three years on payment in advance of a fee Rs. 5.

119. If default is made in payment of a renewal fee, the name of the defaulter shall be removed from the Register or list, as the case may be. If the defaulter pays a fresh registration fee of Rs. 5 together with the renewal fee, his name shall be entered in the Register or list, as the case may be.

XVI.—*Applications under sub-section (2) of section 31C.*

120. Every application under sub-section (2) of section 31C shall be accompanied by a declaration on oath before an officer competent to administer an oath under the Indian Oaths Act, 1873, stating the facts of the case.

121. The Registration Tribunal (hereinafter called the Tribunal) shall then refer the application both to the Mamlatdar and Medical Officer of the area in which the applicant was practising on 4th November 1941, for their remarks as to—

(1) whether the applicant is or is not a refugee or other person referred to in sub-section (*1*) of section 31C;

(2) whether he was practising at the place mentioned by him in his application on 4th November 1941;

(3) whether he was regularly practising for the period mentioned by him in his application before 4th November 1941; and

(4) whether he was dependent on his practice for his livelihood.

122. The Tribunal may also require the applicant to state the reasons why no application was made on or before the 4th November 1941, or may call the applicant for an interview or call for any proof in verification of the statement made in the application or any other information which the Tribunal thinks fit to obtain.

123. After making the above enquiry, the Tribunal may direct the entry of the names in the Register or list in accordance with the following rules :—

(*a*) If the Tribunal is satisfied that the applicant has passed any of the examinations specified in the Schedule to the Act and that he could not apply for entering his name in the Register before the 4th November 1941 for sufficient and adequate reasons, it shall direct that his name shall be entered in the Register ;

(*b*) If the Tribunal is satisfied that the applicant is not a refugee or other person referred to in sub-section (*1*) of section 31C and that he was practising on the 4th November 1941, and that he could not make an application for entering his name in the Register or list before the 4th November 1941 for sufficient and adequate reasons, it shall direct that his name may be entered in the list.

APPENDIX A.

[Rule 7 (7).]

FORM.

[*See* Rule 7 (7).]

Voting Paper.

Members are to be elected to the Board of Indian Systems of Medicine by the person entered in the electoral roll.

Serial No.	Name of candidates duly nominated.	Vote.

Returning Officer.

INSTRUCTIONS.

(1) Each elector has votes.

(2) He shall vote by placing the mark × opposite the names of the candidates whom he prefers.

(3) The Voting papers shall be invalid if the mark × is placed opposite the names of more than candidates, or if the marks are so placed as to render it doubtful to which candidates they are intended to apply.

(4) The elector shall enclose the voting paper duly filled in, in the smaller cover and enclose that cover in the bigger cover supplied by the Returning Officer and shall write his full name (which may be typewritten) and signature in the left hand corner of the bigger envelope in the printed columns therefor. If the elector fails so to write his full name and signature, the voting paper shall be invalid.

(5) Every elector shall send his voting paper in a separate cover direct to the Returning Officer, whose address is given below.

(6) If the Returning Officer receives more than one voting paper from the same elector, all such voting papers shall be treated as invalid.

(7) If more than one mark is placed before the name of any candidate the whole voting paper shall be treated as invalid.

(8) *Address of Returning Officer.*—This should be filled by the Returning Officer before the voting paper is sent.

APPENDIX B.

(Rule 75.)

REGISTRATION CERTIFICATE.

Office of the Board of
Indian Systems of Medicine :
Bombay, 19 .

Certificate No.

I hereby certify that Mr.
has been registered under the Bombay Medical Practitioners' Act, 1938, as on at Bombay.

Qualifications :

Address :

Note.—This certificate remains evidence of Registration only until the publication of the Printed Register for 194 .

Registrar.

Important Notice.

Every Registered Practitioner should be careful to send to the Registrar immediate notice of any change in his address, and also to answer all inquiries that may be sent to him by the Registrar in regard thereto, in order that his correct address may be duly inserted in the Register : otherwise under section 15 (*5*) of the Bombay Medical Practitioners' Act, 1938, such practitioner is liable to have his name removed from the Register.

APPENDIX C.

(Rule 76.)

Office of the Board of
Indian Systems of Medicine :
Bombay, 19 .

Certificate No.

Mr. has been registered under the Bombay Medical Practitioners' Act, 1938, as on at Bombay.

Qualifications :

Address :

Note.—This certificate remains evidence of registration only until the publication of the printed Register for 194 . It is NOT nor must it be used as evidence of the identity of the holder with the person named herein.

Registrar.

APPENDIX D.

(Rule 86.)

Notice to a registered practitioner to attend proceedings for removal of his name from the Register, under section 16(3) of the Bombay Medical Practitioners' Act, 1938.

Sir,

On behalf of the Board of Indian Systems of Medicine, Bombay, I give you notice that information and evidence have been laid before it by which the complainants make the following charge against you, namely :—[Here set out the circumstances briefly] and that in relation thereto you have been guilty of infamous conduct in a professional capacity.

Or that you were, on the day of convicted of the following [offence] at namely :—
[Set out particulars of the conviction]

And I am directed further to give you notice that on the day of of 19, a meeting of the Board will be held at o'clock in the to consider the abovementioned charges against you, and decide whether or not they should direct your name to be removed from the Register, pursuant to section 16 (*3*) of the Bombay Medical Practitioners' Act, 1938. You are invited and required to answer in writing the above charges and to attend before the Board at the above named time and place, to establish any denial or defence that you may have to make to the abovementioned charges and you are hereby informed that if you do not attend as required without proper cause, the Board shall proceed to hear and decide upon the said charges in your absence.

Any answer or other communication or application which you may desire to make respecting the said charges, or your defence thereto, must be addressed to me and transmitted so as to reach me not less than * days before the day appointed for the hearing of the case.

* To be filled in.

A copy of section 16 (*3*) of the Bombay Medical Practitioners' Act, 1938, and of certain Rules of the Board, to which your particular attention is invited, is enclosed herewith for your information.

(Signed)

Registrar.

APPENDIX E.

[Rule 101 (*vii*).]

FORM No. 1.

Statutory declaration by applicant for re-entering his name in the Register.

To the Board of Indian Systems of Medicine, Bombay.

(*i*) I, the undersigned[1]

now holding the qualification[2]
do solemnly and sincerely declare that the following are the facts of my case, in reason of which I seek re-entry of my name in the Register.

(*ii*) In the year[3] my name was duly registered in the Register in respect of the following qualifications, namely[4] , and at the date of the removal of my name hereinafter mentioned I was registered in respect of the same qualifications, [and also in respect of the following additional qualifications, namely,[5]

].

(*iii*) At an inquiry held on the[6] day of the Board of Indian Systems of Medicine directed my name to be removed from the Register on a complaint made to it by[7]

of and
the offence for which the Board directed the removal of my name was[8]

(*iv*) Since the removal of my name from the Register I have been residing at [9] and my occupation has been.

(*v*) It is my intention if my name is restored to the Register to [10]

(*vi*) The grounds of application are [11]

(Signed)

Declared at on

before me,

Justice of the Peace, etc.

(1) Insert full name.

(2) Insert qualifications, if any.

(3) Insert date.

(4) Insert original qualifications.

(5) To be added, if necessary.

(6) Insert date of inquiry.

(7) Insert name and address of complainant,

(8) Insert charges on which name was removed.

(9) The paragraph blanks in this must be filled in according to circumstances.

(10) Insert particulars as to proposed future professional occupation.

(11) All facts and grounds on which the application is made should be clearly and concisely stated.

FORM No. 2.

Certificate in support of Application.

I, of

(1) State whether a. J. P. or a Registered Practitioner.

certify as follows :—

(*i*) I am [1]

(*ii*) I have read paragraphs (*iv*) and (*v*) of the application of and say that I have been and am well acquainted with the said both before and since his name was removed from the Register, that I believe him to be now a person of good character, and that the statements in the said paragraphs are to the best of my knowldge, information, and belief, true.

(Signed)

(Name)

(Address and qualifications).

FORM No. 3.

Certificate of Identity.

I hereby certify that the aforesaid applicant is the above specified whose name formerly stood in the Register with the following address and the qualifications :—*

* Here insert applicant's former address and registered qualifications.

† Here insert name and address of person certifying.

Name†

Address†

Registered qualifications

Date

APPENDIX F.

[Rule 78 (1).]

Statutory declaration accompanying the application for removal of name.

I, the undersigned (1) now holding the qualification (2) and having the following permanent address, viz., do solemnly declare as follows :—

(*i*) In the year (3) my name was duly registered in respect of the following qualification, namely (4)

(*ii*) I am not aware of any proceedings or of any reason for the institution of any proceedings which might result under the Act or rules thereunder is establishing some cause for the removal of my name from the Register or depriving me of any qualification or licence entitling me to be registered.

(*iii*) The grounds for the removal of name are (5)

(*iv*) It is my intention if my name is removed from the Register to (6)

Signed.

(1) Insert full name.
(2) Insert qualification, if any.
(3) Insert date.
(4) Insert original qualification.
(5) All grounds for the application should be clearly and concisely stated.
(6) Insert particulars as to proposed future professional occupation.

APPENDIX G.

[Rule 78 (2).]

Undertaking accompanying application for removal of name.

To the Board of Indian Systems of Medicine, Bombay.

I, the undersigned[1] having applied under rule 78 for the removal of my name from the Register hereby bind myself that :—

(*i*) I shall not apply for registration either in the State of Bombay or in any other State in India within a period of two years from the date on which my name would be removed.

(*ii*) In case I apply for re-registration after the expiry of the said period of two years, I will submit testimonials of two registered practitioners who know me to the effect that I have not committed any act during a period commencing from the year previous to the date of the removal of my name and ending on the date of the application for the re-registration of my name which may result under the Act or rules thereunder in establishing some cause for the removal of my name from the Register or depriving me of any qualification or licence entitling me to to be registered.

Dated the

Signed.

[1] Insert full name.

APPENDIX H.

(Rule 79.)

Declaration for re-entry of name in Register.

To the Board of Indian Systems of Medicine, Bombay.

I[1] now holding the qualification[2] and having the following permanent address, viz.[3] do solemnly declare as follows :—

(*i*) In the year[4] my name was duly registered in the Register in respect of qualification viz.[5] and at the date of the removal of my name, I was registered in respect of the same qualification and also in the respect of the following additional qualifications viz.[6]

(*ii*) My name was removed from the Register on[7] as no answer was received by the Registrar to a letter written by him under section 15 of the Act within six months of its despatch, for the reason[8]

(*iii*) Since the removal of my name from the Register I have been residing at[9] and my occupation has been[10]

(*iv*) The grounds of application are[11]

Signed.

(1) Insert full name.
(2) Insert qualification if any.
(3) Insert permanent address.
(4) Insert date.
(5) Insert original qualification.
(6) To be added if necessary.
(7) Insert date.
(8) Fill the blank according to circumstances.
(9) and (10) Fill the blanks according to circumstances.
(11) All facts and grounds for the application should be clearly and concisely stated.

APPENDIX I.

(Rule 79.)

Certificate of Identity.

I hereby certify that the applicant Mr.[1] is known to me personally for the last[2] and he is the same person whose name formerly stood in the Register with the following address and qualification[3]

I know he is practising at present at the following address[4]

Signed.

Registered Medical Practitioner

Registration Certificate No.

(or Justice of the Peace)
(or Magistrate)
(or Officer holding commission in the Armed Forces of the Union.)

(1) Insert name of applicant in full.
(2) Insert period of acquaintance.
(3) Insert address and qualification entered in the Register against the applicant's name.
(4) Insert the applicant's present address.

G. N., H. & L. G. D., No. 6088/33, dated 22nd July 1949 (B. G., Pt. IV-B, p. 1561).

S. 29 Bombay Faculty of Indian Systems of Medicine Rules, 1949.

Amended by G. N., L. S. G. & P. H. D., No. 6088/33, dated 21st April 1950.

In exercise of the powers conferred by section 29 of the Bombay Medical Practitioners' Act, 1938 (Bom. XXVI of 1938), the Government of Bombay is pleased to make the following rules :—

I. Preliminary.

1. These rules may be called the Bombay Faculty of Indian Systems of Medicine Rules, 1949.

2. In these rules, unless there is anything repugnant in the subject or context,—

(1) " Act " means the Bombay Medical Practitioners' Act, 1938 ;

(2) " Appendix " means an appendix appended to these rules ;

(3) " Government " means the Government of Bombay ;

(4) " Section " means a section of the Act ;

(5) The words and expressions used in the Act and not defined in these rules shall have the meanings assigned to them in the Act.

II. Appointment of Members of the Faculty.

3. The Registrar shall maintain a list, containing the names of the members elected on the Faculty, the electorates they represent, the date of election of each such member, the term of his office, and the date of death or retirement of each such member. The list shall also contain similar particulars in regard to the members nominated by Government. The Registrar shall keep the list always up-to-date so that it may show at a glance when the next election or nomination as the case may be has to be made.

4. Ninety days before the expiration of the term of office of any member appointed on the Faculty, the Registrar shall make a report in writing regarding the vacancy both to the Chairman and Government.

5. If a vacancy occurs in the office of a member of the Faculty through resignation, death, removal or disability of such member or otherwise previous to the expiry of his term of office the Registrar shall make a report in writing regarding the vacancy to the Chairman as well as Government.

III. Procedure to be observed for filling vacancies on the Faculty.

6. In the case of vacancies of elected members an election shall be held to fill the vacancy. The Chairman or any other person authorised by him in this behalf shall act as the Returning Officer for such election. If the vacancy is to occur in consequence of the expiry of the term of office of a member such Returning Officer shall some time not less than twenty-eight days and not more than thirty-five days before the day on which the term of office of such member is due to expire or, if the

vacancy has already occurred through death, resignation, removal or disability of such member or otherwise, as soon as conveniently may be, after the occurrence of the vacancy, issue a notice to the electorate concerned, requiring the said electorate to elect a member or members by a date mentioned in the notice.

7. The following procedure shall be adopted for the filling of vacancies by election :—

(1) For the purpose of preparing electoral rolls the Registrar shall call upon the Principals or Heads of recognised institutions to send all information regarding themselves as well as recognised teachers in their institutions and shall prepare Electoral Rolls from the information so supplied by them.

(2) Candidates qualified for being elected shall be proposed and seconded by person qualified as electors. No elector shall propose or second the nomination of more persons than are required to fill up the vacancy or vacancies. If more nominations than are required to fill up a vacancy or vacancies be subscribed by the same elector, all nominations subscribed by him shall be held to be void.

(3) The candidate shall sign the nomination paper declaring that he is willing to serve on the Faculty, if elected. In the absence of such a declaration the nomination shall be treated as invalid.

(4) Every proposal for nomination shall be in writing, and shall be signed by the proposer and seconder, and sent so as to reach the Returning Officer not less than twenty-one days before such date as may be appointed by the Government in this behalf.

(5) Any candidate shall be at liberty to withdraw his candidature within five days from the date of his nomination.

(6) If in case of any election the number of candidates duly nominated does not exceed the number required to fill up the vacancy or vacancies, the Returning Officer shall forthwith declare all such candidates to be elected.

(7) If in case of any such election more candidates than are necessary to fill up the vacancy or vacancies are nominated, the Returning Officer shall forthwith publish their names and addresses in the *Bombay Government Gazette* and in such other manner as the Faculty may deem fit, and shall further cause their names to be entered in voting papers in the Form as laid down in Appendix A.

(8) Fourteen days before such date as may be appointed by the Government in this behalf, the Returning Officer shall send by post to each elector one such voting paper signed by the Returning Officer, a smaller blank cover with the words "Voting Paper" printed thereon and a bigger cover on which are printed on the left top corner the serial alphabetical number, and at the lower left corner the name and signature columns and the address of the Returning Officer as given below :—

"To
The Returning Officer,
C/o Faculty of Indian Systems of Medicine, Bombay 1."

An elector who has not duly received his voting paper and other connected papers or whose voting paper or other connected papers after receipt by him have been spoiled or misled may, on his informing the Returning Officer and

making a declaration in writing to that effect signed by himself and returning to the Returning Officer the spoiled paper, require the Returning Officer to send to him a duplicate voting paper and other connected papers. In every case, when duplicate voting paper and other connected papers are issued a record thereof shall be kept by the Returning Officer. A voting paper as well as a bigger cover issued in such cases shall bear the words " duplicate ".

(9) (*i*) Before such date as may be appointed by the Government in this behalf every elector, desirous of voting, shall send his voting paper to the Returning Officer, and the Returning Officer, shall keep the same collected in sealed boxes, provided that any voting paper which is not received by the Returning Officer before 12 noon on the date so appointed for the counting of votes or which does not in any way conform to these rules shall be rejected.

(*ii*) The Chairman shall nominate as scrutineers such number of members of the Faculty not exceeding four as he thinks fit.

(10) The Returning Officer shall count the votes at such time and place as may be appointed by the Chairman in this behalf. Any candidate may also be present either in person or by an accredited representative atthe counting of votes.

(11) When the counting of votes has been completed, the Returning Officer shall forthwith declare the candidate or candidates, as the case may be, to whom the largest number of votes has been given to be elected, and shall forthwith inform the successful candidates by letter of his having been elected to the Faculty. Every candidate who is elected shall within such period as may be specified by the Returning Officer, in writing signify to the Returning Officer his acceptance of a seat on the Faculty. If any candidate declared to have been elected refuses to become a member of the Faculty, one of the remaining candidates to whom the next largest number of votes have been given shall be declared to have been elected in the manner prescribed above and the same procedure shall be followed if further vacancies are caused by the refusal of a candidate to accept a seat on the Faculty.

(12) When an equality of votes is found to exist between any candidates, and the addition of a vote, will entitle any one or more of the candidates to be declared elected, the determination of the person or persons to whom such additional vote shall be deemed to have been given shall be made by lot, to be drawn by the Returning Officer in such manner as the Chairman or the person authorised by him in this behalf may determine.

(13) Upon the completion of the counting and after the result has been declared by him, the Returning Officer, shall seal the voting papers and all other documents relating to the election and shall retain the same with himself for a period of six months, and thereafter cause them to be destroyed.

(14) The Returning Officer shall notify in the *Bombay Government Gazette* and in such other manner as the Faculty may think fit, the time and the place fixed for each of the following proceedings, namely :—

(*a*) Receiving of nomination paper under rule 7 (4) ;

(*b*) The sending of voting papers to the electors under rule 7 (8) ;

(*c*) The last date for receiving voting papers and the date for the counting of the votes under rule 7 (9) and (10).

(15) The Faculty may, of its own motion, or on an objection made before it, declare any election, that has been held to be void on account of corrupt practice

or any other sufficient cause and may call on the electorate to make a fresh election. The decision of the Faculty under this rule shall be final.

(16) If any question arises as to the intention, construction, or application of this rule, which in the opinion of the Faculty, should be referred to Government, the Faculty shall refer such question to Government, whose decision shall be final.

8. After the declaration of the election of any member and when the Chairman himself is not the Returning Officer after the receipt by him of notice of such election from the Returning Officer, the Chairman shall inform Government of the same for its publication in the *Bombay Government Gazette*. The notification of the election of a member shall be read by the Registrar at the next meeting of the Faculty and the new member shall then be introduced to the meeting by the Chairman. The above procedure shall be adopted also in the case of a member nominated on the Faculty.

IV. Meetings of the Faculty.

9. The Faculty shall ordinarily meet for the transaction of business on the first Wednesday in the months of February and September in each year.

10. An extraordinary meeting of the Faculty of which 15 days notice shall be given may be summoned by the Chairman at any time, and shall be summoned by him on a written requisition signed by not less than six members of the Faculty.

11. All meetings of the Faculty shall be convened by the Registrar by a summons addressed to each member, stating the time and place of the meeting.

12. The summons convening any meeting shall declare the purpose of the meeting, whether it is general business or any (named) special business, and, at any meeting which is convened for special business no business other than that specified in the summons shall be transacted, unless the Faculty by a resolution at the meeting agrees to consider any further business.

13. Prior to any meeting of the Faculty, the Registrar shall, under the instructions of the Chairman, prepare a programme of business and shall furnish a copy thereof to each member of the Faculty, not less than ten days before the day of the meeting.

14. Notice of any motion to be inserted in the programme of business for the February or September session shall be sent to the Registrar at least fifteen clear days before the beginning of the session.

15. (1) A motion shall not be admissible :—

(*a*) if the matter to which it relates is not within the scope of the Faculty's functions or,

(*b*) if it raises substantially the same question as a motion or amendment which had been moved and either decided or withdrawn with the leave of the Faculty within six months of the date of the meeting at which it is intended to move the new motion ; or,

(*c*) unless it is clearly and precisely expressed and raises substantially only one definite issue ; or,

(*d*) if it contains arguments, inferences, ironical expressions or defamatory statements.

(2) The Chairman shall disallow any motion which in his opinion is inadmissible under sub-rule (1) :

Provided that if a motion can be rendered admissible by amendment, the Chairman may, in lieu of disallowing the motion, admit it in an amended form.

(3) When the Chairman disallows or amends a motion, the Registrar shall inform the member who gave notice of the motion of the order of disallowance or, as the case may be, of the form in which the motion has been admitted.

16. Notwithstanding anything contained in rules 13 and 14, the Chairman may in his discretion allow a motion to be discussed at a meeting notwithstanding the fact that notice was not received or was received too late to admit of compliance with rule 14.

V. Conduct of business at meetings.

17. Every meeting of the Faculty shall be presided over by the Chairman or, if he is absent, by a person to be elected as Chairman by the members present from among themselves.

18. For a meeting of the Faculty eight members including the Chairman shall form a quorum. If at the time appointed for a meeting a quorum is not present the meeting shall not commence until a quorum is present and if a quorum is not present on the expiration of 20 minutes from the time appointed for the meeting, the meeting shall stand adjourned to such future date as the Chairman may appoint.

19. (1) Every matter to be determined by the Faculty shall be determined on a motion moved by a member and put to the Faculty by the Chairman.

(2) Votes shall be taken by voices, show of hands or division as the Chairman may direct :

Provided that votes shall be taken by division if any member so desires.

(3) The Chairman shall determine the method of taking votes by division.

(4) The result of a division shall be announced by the Chairman and shall not be challenged.

(5) In the event of an equality of votes, the Chairman shall, in addition to his vote as a member of the Faculty have a second or casting vote.

20. When motions identical in purport stand in the names of two or more members the Chairman shall decide whose motion shall be moved and the other motion or motions in purport shall not thereupon be moved.

21. After a motion has been moved any member may, subject to the provisions of rules 22 and 23, move an amendment to the motion :

Provided that the Chairman shall not allow an amendment to be moved which, if it had been substantive motion, would have been inadmissible under rule 15.

22. (1) An amendment must be relevant to, and within the scope of, the motion to which it is proposed.

(2) An amendment may not be moved which has merely the effect of a negative vote.

(3) The Chairman may refuse to put an amendment which is in his opinion frivolous.

23. (1) If notice of an amendment has not been given two clear days before the date on which the motion is moved, any member may object to the moving of the amendment and the objection shall prevail unless the Chairman allows the amendment to be moved.

(2) The Registrar shall if time permits cause a copy of every amendment to be made available for the use of every member.

24. Every motion or amendment shall be seconded and, if not seconded, shall be deemed to have been withdrawn.

25. (1) When any motion or amendment is under debate no proposal with reference thereto shall be made other than—

(*a*) an amendment of the motion or of the amendment, as the case may be ;

(*b*) a proposal for the adjournment of the debates on the motion or amendment or both either to a specified time or *sine die* ;

(*c*) a motion for the closure namely, a motion that the question be now put.

(2) It shall be in the discretion of the Chairman to put or refuse to put to the Faculty a proposal of the nature referred to in clause (*b*) of sub-rule (1).

(3) Unless the Chairman is of opinion that a motion for the closure is an abuse of the right of reasonable debate he shall forthwith put a motion that the question be now put and if that motion is carried the substantive motion or amendment under debate shall be put forthwith. Provided that the Chairman shall allow the mover of the substantive motion to exercise his right of reply before the substantive motion under debate is put.

26. A motion or an amendment which has been moved shall not be withdrawn save with the leave of the Faculty.

27. (1) When the motion has been moved and seconded, members other than the mover and seconder may speak on the motion in such order as the Chairman may direct :

Provided that the seconder, may, with the permission of the Chairman, confine himself to seconding the motion and speak thereon at any subsequent stage of the debate before the final reply.

(2) No member, other than the mover who shall be entitled to a final right of reply, shall speak more than once on any motion except with the permission of the Chairman and for the purpose of making an explanation or putting a question to the members addressing the Faculty :

Provided that a member who has spoken on a motion may speak again on an amendment subsequently moved to the motion.

(3) No member shall, save with the permission of the Chairman, speak for more than ten minutes :

Provided that the mover of a motion when moving the same may speak for twenty minutes.

(4) A speech shall be strictly relevant and confined to the subject matter of the motion on which it is made.

(5) The business of the Faculty shall be transacted in English, but any member may address the meeting in any recognised language of the State.

28. (1) A member desiring to make any observations on any matter before the Faculty shall speak from his place, shall rise when he speaks and shall address the Chairman.

(2) If at any time the Chairman rises, any member speaking shall immediately resume his seat.

29. No member shall be heard except upon the business before the Faculty or with the special permission of the Chairman in personal explanation in connection with some previous debate.

30. (1) When an amendment to any motion is moved or when two or more such amendments are moved, the Chairman shall, before taking the sense of the Faculty, thereon, state or read to the Faculty the terms of the original motion and the amendment or amendments proposed.

(2) It shall be in the discretion of the Chairman to put first to the vote either the original motion or any of the amendments which may have been brought forward.

31. When any motion involving several points has been discussed, it shall be in the discretion of the Chairman to divide the motion and put each or any point separately to the vote as he may think fit.

32. (1) The Chairman may at any time adjourn any meeting to any future day or to any hour of the same day.

(2) Whenever a meeting is adjourned to a future day, the Registrar shall, if possible, send notice of the adjournment to every member who was not present at such meeting.

(3) When a meeting has been adjourned to a future day, the Chairman may change such day to any other day, and the Registrar shall send written notice of the change to each member.

(4) At a meeting adjourned to a future day any motions standing over from the previous day shall, unless the Chairman otherwise directs, take precedence of new matter.

33. The Chairman, whenever it appears to him to be unnecessary to convene a meeting may, instead of so doing, circulate a written proposition with reasons for such proposition for the observations and votes of the members of the Faculty.

34. If any question arises with reference to the interpretation of the rules in this part or with reference to procedure in respect of a matter for which the said rules make no provision, the Chairman shall decide the same and his decision shall be final.

VI. Minutes.

35. The proceedings of the meetings of the Faculty shall be preserved in the form of printed minutes which shall be authenticated after confirmation, by the signature of the Chairman.

36. A copy of the minutes of each meeting shall be sent to each member within thirty days of the meeting.

37. The minutes of each meeting shall contain such motions and amendments as have been moved and adopted, or negatived, with the names of the mover and the seconder, but without any comment and without any record of any observation made by any member at the meeting.

38. The minutes shall be deemed to have been confirmed if no objection to their correctness is received by the Registrar from any member within thirty days of the despatch of a copy of the minutes to a member in accordance with rule 36. If any such objection is received, confirmation of the minutes shall await the next meeting of the Faculty.

39. The minutes of the Faculty, shall, as soon as is practicable after their confirmation be made up in sheets and consecutively paged for insertion in a volume, which shall be permanently preserved.

VII. Executive Committee.

40. The Executive Committee of the Faculty shall consist of the Chairman and four members of the Faculty elected by ballot at the first meeting of the Faculty in each year.

41. The Executive Committee shall ordinarily meet once every month on such date as may be fixed by the Chairman.

42. For a meeting of the Executive Committee three members including the Chairman shall be a quorum.

43. If there is any vacancy in the Executive Committee the Committee shall itself fill up such vacancies by election of a member of the Faculty in such vacancy except in cases where a summons has been issued for a meeting of the Faculty before the occurrence of such vacancy when the Faculty itself shall by election fill up the vacancy on the Committee. If any member of the Executive Committee is absent from three consecutive meetings without the leave of the Committee he shall *ipso facto* cease to be a member of the Committee. If the period of absence exceeds three months, the vacancy shall be deemed to have occurred.

44. The proceedings of the meetings of the Executive Committee shall be preserved in the form of printed minutes which shall be authenticated, after confirmation by the signature of the Chairman.

45. The Executive Committee shall consider all matters concerning the course of training and qualifying examination including the course of training and examinations prior to qualifying examinations and may report to the Faculty on the same.

46. The Executive Committee shall make all arrangements for the holding of examinations including the appointment of examiners, the fixing of dates, centres and programme, declaration of the results and issuing degrees and diplomas.

47. The returns of qualifying examination and examinations prior to qualifying examinations and their results shall be confided to the care of the Executive Committee who shall prepare annually a table of results of such examinations to be laid before the Faculty.

48. The Executive Committee shall arrange for inspections of teaching institutions or examining bodies and shall prepare reports and recommendations regarding their recognition for consideration of the Faculty. The Committee shall be authorised to call from the teaching institutions or examining bodies all information that may be necessary for execution of the Faculty's functions.

49. The Executive Committee shall enquire into all cases for the purposes of carrying into effect the provisions of section 23 relating to the grant of authority to institutions to hold qualifying examinations and shall report to the Faculty the decision arrived by it.

50. All applications, petitions or proposals may be referred to the Executive Committee to be examined and decided or reported upon before being considered by the Faculty.

51. Any application regarding admission, exemptions, concession in terms, arrangements of examinations or results shall be decided first by the Executive Committee.

52. The Executive Committee shall prepare bye-laws required under section 28A for the consideration of the Faculty. The Faculty may adopt, reject, amend or return to the Executive Committee for reconsideration the bye-laws framed by the Executive Committee.

53. The Executive Committee shall consider and prepare report upon any subject, that may seem to require the attention of the Faculty and such report shall be circulated among the members of the Faculty at least ten days before the meeting of the Faculty at which the subject is to come up for discussion.

54. The Executive Committee shall prepare reports on such subjects as may be indicated to it by the Faculty at its meetings, or by the Chairman at other times. The reports when finally approved by the Committee, shall be presented to the Faculty.

VIII. Fees and Allowances payable to Members.

55. The scales of fees for attendance at meetings of the Faculty and of the Executive Committee, and the travelling expenses for such attendance shall be paid at the rates set forth in the following rules.

56. The rate of payment for attendance at any meeting of the Faculty shall be the same for all members of the Faculty.

57. Every member shall be entitled to a fee of Rs. 15 for each day of attendance at a meeting of the Faculty.

58. The travelling expenses of members shall be paid as follows :—

(*i*) Officials who are Government servants may draw the travelling and halting allowances which they may be entitled to claim for travelling on official duties according to their grades under the Bombay Civil Services Rules.

(*ii*) A non-official member shall draw travelling allowance according to rule 1 (1) (*b*) in section 1 of Appendix XLII-A to the Bombay Civil Services Rules Manual, Volume II, as admissible to members of Provincial Committees.

59. The fees for attendance at meetings of the Executive Committee shall be Rs. 15 a day, in addition to the usual travelling expenses as under rule 58.

IX. Sub-Committees.

60. The Faculty may appoint sub-committees to report upon any matters which it may deem necessary to refer to them.

61. The members of the sub-committees shall not be entitled to any fee for attending any meetings of the sub-committee. They shall be entitled to travelling expenses under rule 58.

X. Office of the Faculty.

62. The Registrar shall be present at every meeting of the Faculty and of the Executive Committee and shall take minutes of the proceedings at such meetings.

63. The Registrar shall conduct and have charge of the correspondence of the Faculty and shall issue all requisite notices in the manner required under these rules.

64. The Registrar shall have the general control of the management of the office, authority over the clerks and servants and shall superintend the building.

65. The clerks shall attend the office during office hours and at other times when necessary and shall not be absent from their duties unless by permission from the Registrar. The Executive Committee shall from time to time grant leave to clerks according to the Bombay Civil Services Rules. Leave to peons shall be granted by the Registrar. The Registrar shall be authorised to obtain whatever temporary additional assistance may be required subject to the sanction of the Chairman.

XI. Corporate Seal.

66. The Faculty shall have a corporate seal and the seal shall be kept in a box having two different locks. The key of one of these locks shall be in the custody of the Chairman and that of the other in the custody of the Registrar.

67. The seal shall be affixed only by order of the Faculty or, when the Faculty is not sitting, by order of the Executive Committee; but its use by such committees shall be limited to such acts as may be necessary to carry into effect the powers delegated and duties entrusted to it by the Faculty.

68. Any order of affixing the seal shall state the object of its use, and shall be entered in the minutes of the Faculty or of the Executive Committee, as the case may be.

XII. Application of Fees.

69. An account shall be opened in the Imperial Bank of India, Bombay, in the name of the Faculty and all monies of the Faculty shall be deposited in the Bank, subject to the reservation mentioned in rule 70.

70. The Registrar shall receive all monies payable to the Faculty. He shall not retain in his hands a sum exceeding Rs. 200, the balance being lodged in the Bank to the credit of the Faculty.

71. The Registrar shall in the month of July in each year prepare a statement of the income and expenditure of the preceding financial year ending 31st March and draw the attention of the Faculty to such matters as seem deserving of notice.

72. The annual accounts shall be made up by the Registrar under the direction of the Executive Committee. They shall be audited by the Local Fund Audit Department as soon as possible after the close of each financial year.

73. In the month of September in each year an estimate of the revenue and of the expenditure of the Faculty for the year commencing on 1st April next ensuing shall be laid before the Faculty.

74. Such estimate shall make provision for the fulfilment of the liabilities of the Faculty and for effectually carrying out its object. It shall include on its revenue side, besides all revenue ordinarily anticipated, such grant as Government may allot and all fees received from any sources.

75. The Faculty shall consider the estimate so submitted to it and shall sanction the same either unaltered or subject to such alteration as it may deem fit.

76. The Faculty may at any time during the year for which any estimate has been sanctioned cause a supplementary estimate to be prepared and submitted to it. Every such supplementary estimate shall be considered and sanctioned by the Faculty in the same manner as if it were an original annual estimate. No expenditure shall be incurred by the Faculty which is not duly provided for in the budget or in the supplementary budget estimate.

77. A bill or other voucher presented as a claim for money shall be received and examined by the Registrar. If the claim be for a sum exceeding Rs. 50 payment shall not be made until it has been examined and passed by the Executive Committee. If the claim be for a sum not exceeding Rs. 50, the Registrar shall pay it.

78. The Registrar shall immediately bring into account in the general cash book all monies received or spent by the Faculty.

79. All cheques on the Bank shall be signed by any one member of the Executive Committee and by the Registrar.

XIII. Transitory Provisions.

80. For the purposes of the first election of the Faculty, the procedure prescribed in rules 6, 7 and 8, as far as may be, and the following rules, shall be followed.

81. The institutions recognised by the Board under the Act shall be deemed as recognised institutions.

82. The following teachers in recognised institutions shall be deemed to be recognised teachers :—

(*i*) paid and full time Professors and Lecturers;

(*ii*) paid and part time or honorary Professors and Lecturers who have given instructions for not less than two periods in a week;

(*iii*) Demonstrators having qualifications of Lecturers, who have given instructions for not less than four periods in a week :

Provided that if any such Professor, Lecturer or Demonstrator is on leave for a period exceeding four months immediately preceding the date on which the electoral roll of such persons is made he shall not be deemed to be recognised teacher for the purposes of this rule.

APPENDIX A.

[Rule 7 (7).]

FORM.

[See rule 7 (7).]

Voting paper.

Members are to be elected to the Faculty of Indian Systems of Medicine by the persons entered in the electoral roll.

Serial No.	Name of candidates duly nominated.	Vote.

Secretary

INSTRUCTIONS.

(1) Each elector has.....votes.

(2) He shall vote by placing the mark × opposite the names of the candidates whom he prefers.

(3) The voting papers shall be invalid if the mark × is placed opposite the names of more than.....candidates, or if the marks are so placed as to render it doubtful to which candidates they are intended to apply.

(4) The elector shall enclose the voting paper duly filled in, in the smaller cover and enclose that cover in the bigger cover supplied by the Returning Officer and shall write his full name (which may be typewritten) and signature in the left hand corner of the bigger envelope in the printed columns therefor. If the elector fails so to write his full name and signature, the voting paper shall be invalid.

(5) Every elector shall send his voting paper in a separate cover direct to the Returning Officer, whose address is given below.

(6) If the Returning Officer receives more than one voting paper from the same elector, all such voting papers shall be treated as invalid.

(7) If more than one mark is placed before the name of any candidate the whole voting paper shall be treated as invalid.

(8) *Address of Returning Officer.*—This should be filled by the Returning Officer before the voting paper is sent.

G. N., G. D., No. 3330/33, dated 13th April 1940 (B. G., Pt. IV-B, p. 498). S. 32

Amended by G. N., G. D., No. 3330/33, dated 15th October 1941.

In exercise of the powers conferred by the proviso to section 32 of the Bombay Medical Practitioners' Act, 1938 (Bom. XXVI of 1938), the Government of Bombay is pleased to direct that the provisions of section 32 of the said Act shall not apply to the medical practitioners who are employed by the following institutions and who hold such medical qualifications as would entitle them to be registered as qualified medical practitioners in the countries in which they obtained such qualifications :—

1. The American Methodist Mission Hospital, Nadiad, district Kaira.
2. Basel Mission Hospital, Gadag-Betgeri, district Dharwar.
3. Evangeline Booth Hospital, Ahmednagar, district Ahmednagar.
4. Puntamba Mission Dispensary, district Ahmednagar.
5. Mission Hospital (St. Luke's Hospital), Vengurla, district Ratnagiri.
6. Mission Hospital, Dahanu Road, Dahanu, district Thana.
7. Canada Mission Hospital, Nasik, district Nasik.
8. The American Marathi Mission Hospital (N. M. Wadia Hospital), Wai, district Satara.
9. The American Marathi Mission Friendship Centre, Satara, district Satara.
10. Ramabai Mukti Mission Hospital, Kedgaon, district Poona.
11. Seventh Day Adventist Surat Hospital, Surat, district Surat.
12. Brethren Mission Hospital, Bulsar, district Surat,
13. Navsari Medical and Surgical Hall, district Surat.
14. Suvarta Memorial Hospital, M. P. Mission, Dhulia, district West Khandesh.
15. Charitable Dispensary, Bavla, taluka Dholka, district Ahmedabad.
16. Karnatak Health Institute, Hukeri Road, district Belgaum.
17. The American Mission Hospital, Miraj.
18. Sir William Wanless Tuberculosis Sanatorium, Miraj.
19. The Seandinavian Alliance Mission Dispensary, Chinchpada, West Khandesh district.

G. N., G. D., No. 4624/33, dated 29th May 1943 (B. G., Pt. IV-B, p. 240). S. 32

In exercise of the powers conferred by the proviso to section 32 of the Bombay Medical Practitioners' Act, 1938 (Bom. XXVI of 1938), the Government of Bombay is pleased to direct that the provisions of section 32 of the said Act shall not apply to such persons who as Government scholarship holders, were deputed by the Government of Bombay to receive training at the Ayurvedic and Unani Tibbi College, Delhi, and have passed either the Fazil-i-Tib-o-Jarahat or the Kamil-i-Tib-o-Jarahat examination of the said College.

s. 32 **G. N., G. D., No. 3334/33, dated 19th February 1944 (B. G., Pt. IV-B, p. 76).**

In exercise of the powers conferred by the proviso to section 32 of the Bombay Medical Practitioners' Act, 1938 (Bom. XXVI of 1938), the Government of Bombay is pleased to direct that the provisions of section 32 of the said Act, shall not apply to the persons who—

(*a*) have passed, before the 4th November 1941, an examination held by an institution in the Province of Bombay, which, in the opinion of the Board of Indian Systems of Medicine, Bombay, is sufficient to qualify them to practise as practitioners; and

(*b*) have applied, between the 4th November 1941 and the 1st October 1943, to the Registrar of the said Board under the proviso to sub-section (*2*) of section 16 of the said Act for having their names entered in the Register maintained under section 15 of the said Act; and

(*c*) are considered by the said Board to be fit to practise as practitioners.

s. 32 **G. N., H. & L. G. D., No. 3339/33, dated 21st May 1948 (B. G., Pt. IV-B, p. 278).**

In exercise of the powers conferred by the proviso to section 32 of the Bombay Medical Practitioners' Act, 1938 (Bom. XXVI of 1938), the Government of Bombay is pleased to direct that the provisions of the said section 32 shall not apply to medical practitioners—

(i) who are certified by the Refugee Officer, Bombay, to be refugees from Pakistan; and

(ii) who—

(*a*) have passed any of the examinations specified in column 1 in Part A of the Schedule held by the institution specified against it in column 2 thereof, or

(*b*) hold any of the diplomas specified iu column 1 of Part B of the said Schedule conferred by the institution specified against it in column 2 thereof.

SCHEDULE.

PART A.

Examination.	Examining body.	Place.
Ayurvedacharya ..	All-India Ayurved Mahamandal Vidyapeeth.	Lahore.
Ayurvedacharya (Benares) ..	Benares Hindu University ..	.. Benares.
Ayurvedacharya (Jaipur) ..	Maharaja Sanskrit College ..	.. Jaipur.
Ayurvedacharya Dhanwantari.	Ayurvedic and Unani Tibbi College	.. Delhi.
Ayurvedalankar	Gurukula University ..	.. Kangri.
Ayurvedbhishak	All-India Ayurved Mahamandal Vidyapeeth.	Lahore.
Ayurvedbhishak (Jaipur) ..	Maharaja Sanskrit College ..	.. Jaipur.
Ayurvedbhishagvisharad ..	Shreeram Ayurved Mahavidyalaya	.. Malwan.
Ayurvedchikitsak	Ayurved Prasarak Mandali ..	.. Satara.
Ayurvedchoodamani ..	Prem Vidya Peeth ..	.. Tungabhadra.

Examination.	Examining body.	Place.
Ayurvedmadhyama ..	Shravan Mas Dakshina Pariksha Samiti ..	Baroda.
Ayurvedopadhyay ..	Maharaja Sanskrit College	Jaipur.
Ayurvedratna	Shravan Mas Dakshina Pariksha Samiti ..	Baroda.
Ayurvedshastri	Maharaja Sanskrit College	Jaipur.
Ayurvedshastri A.M.B. ..	Govindsundari Ayurvedic College ..	Calcutta.
Ayurvedshiromani ..	Prem Vidya Peeth	Tungabhadra.
Ayurvedshiromani (Vrindavan)	Gurukul University	Vrindavan.
Ayurvedteerth	Ayurved Vidyalaya Sanstha	Ahmednagar.
Ayurveduttama	Shravan Mas Dakshina Pariksha Samiti ..	Baroda.
Ayurvedvidvan L.A.M.S. ..	Government Ayurvedic and Unani College ...	Mysore.
Ayurvedvisharad	All-India Ayurved Mahamandal Vidyapeeth	Lahore.
Ayurvedvisharad (Baroda) ..	Rajkiya Sanskrit Mahavidyalaya ..	Baroda.
Ayurvedvisharad (Satara) ..	Ayurved Prasarak Mandali	Satara.
Ayurvidyaparangat	Tilak Maharashtra Vidyapeeth	Poona.
Ayurvidyavisharad ..	Tilak Maharashtra Vidyapeeth	Poona.
Bhishak L.P.A.C. ..	Prabhuram Ayurvedic College	Bombay.
Bhishagacharya	Maharaja Sanskrit College	Jaipur.
Bhishagacharya M.A.M.S. ..	J. B. Astang Ayurvedic College ..	Calcutta.
Bhishagacharya Dhanwantari ..	Ayurvedic and Unani Tibbi College ..	Delhi.
Bhishagindu	Prem Vidya Peeth	Tungabhadra.
Bhishagratna L.A.M.S. ..	Jaminibhushan Astanga Ayurved Vidyalaya	Calcutta.
Bhishagvar	Karnatak Ayurved Vidyapeeth	Belgaum.
Bhishagvar (Bijapur) ..	Arya Vaidyak Shala	Bijapur.
Bhishagvar (Jaipur) ..	Maharaja Sanskrit College	Jaipur.
Bhishagvar A.A.M.S. ..	Prabhuram Ayurvedic College	Bombay.
Bhishagvar G.P.A.C. ..	Prabhuram Ayurvedic College	Bombay.
Grihitayurved	Ayurved Vidyalaya Sanstha	Ahmednagar.
Grihitayurvedshastra D.A.M.	U. P. Ayurved Mahavidyalaya	Patan.
Grihitayurvedshastra L.A.M. ..	U. P. Ayurved Mahavidyalaya	Patan.
Vaidya	All-India Ayurved Mahamandal Vidyapeeth.	Lahore.
Vaidyabhanu	Prem Vidya Peeth	Tungabhadra.
Vaidyabhushan	Shravan Mas Dakshina Pariksha Samiti ..	Baroda.
Vaidyaguru	Prem Vidya Peeth, Tungabhadra ..	Tungabhadra.
Vaidyakalanidhi	Government Ayurvedic College	Trivendram.
Vaidyaratna	Shravan Mas Dakshina Pariksha Samiti ..	Baroda.

Examination.	Examining body.	Place.
Vaidyashastri ..	Maharaja Sanskrit College ..	Jaipur.
Vaidyavachaspati ..	Dayanand Ayurvedic College ..	Lahore.
Vaidyavar L.P.A.C. ..	Prabhuram Ayurvedic College ..	Bombay.
Vaidyavidyavisharad ..	Dhootpapeshwar Ayurved Mahavidyalaya ..	Panvel.
D.I.M.	Rishikula Ayurved College ..	Hardwar.
L.I.M.	Board of Examination in Indian Medicine ..	Madras.
M.A.M.S.	Vishwanath Ayurved Mahavidyalaya ..	Calcutta.

PART B.

Name of Diploma.	Name of Institution.	Place.
Fazile-tib-o-Jarahat, Kamile-tib-o-Jarahat and Hakim Kamil ..	Ayurvedic and Unani Tibbi College ..	Delhi.
Hakim Fazil	Tibbia Wahajia College ..	Lucknow.
Sanad	Asifia Tibbia College ..	Bhopal.
Akmalul Hukma and Fazil-ul-Atibba ..	Jamia Tibbia ..	Delhi.
Sanad	Madarsa Tibbia ..	Delhi.
Sanad	Takmilut-tib College ..	Lucknow.
Sanad	Mumba-ut-tib College ..	Lucknow.
Motmadut-tib	Unani Medical School ..	Allahabad.
D.I.M.S.	Muslim University ..	Aligarh.
Tubib-i-Akmal and Hazatul-Hukma ..	Bhupendra Tibbia College ..	Patiala.
Hakim Haziq	Tibbia College ..	Lahore.

S. 32

G. N., H. & L. G. D., No. 3334/33, dated 29th July 1948 (B. G., Pt. IV-B, p. 447).

In exercise of the powers conferred by the proviso to section 32 of the Bombay Medical Practitioners' Act, 1938 (Bom. XXVI of 1938), the Government of Bombay is pleased to direct that the provisions of the said section shall not apply to persons who have obtained the following diplomas before 23rd January 1948 :—

1. Diploma of Ayurvedacharya either with "Medicine and Surgery" or with "Modern Medicine and Surgery" granted by the Benares Hindu University, Benares.

2. Diploma of Fazil-i-Tib-o-Jarahat and Kamil-i-Tib-o-Jarahat granted by the Ayurvedic and Unani Tibbi College, Delhi.

G. N., H. & L. G. D., No. 3150/33, dated 28th September 1948 (B. G., Pt. IV-B, p. 919). **S. 32**

In exercise of the powers conferred by section 32 of the Bombay Medical Practitioners' Act, 1938 (Bom. XXVI of 1938), the Government of Bombay is pleased to direct that the provisions of the said section shall not apply to persons who hold the M.D. degree (Paris) provided that they are citizens of India.

G. N., H. & L. G. D., No. 3150/33, dated 11th November 1948 (B. G., Pt. IV-B, p. 1289). **S. 32**

In exercise of the powers conferred by section 32 of the Bombay Medical Practitioners' Act, 1938 (Bom. XXVI of 1938), the Government of Bombay is pleased to direct that the provisions of the said section shall not apply to persons who hold the degree of M.D. (Bom.) provided that they are citizens of India.

G. N., G. D., No. 3334/33, dated 28th July 1943 (B. G., Pt. IV-B, p. 298). **S. 38 (2)**

In exercise of the powers conferred by sub-section (*2*) of section 38 of the Bombay Medical Practitioners' Act, 1938 (Bom. XXVI of 1938), the Government of Bombay is pleased to empower the officers specified in column (1) of the Schedule hereto appended, to make complaints in writing of any offence under the said Act, within the areas respectively specified in column (2) of the said Schedule.

Schedule.

Officers.	Areas.
(1)	(2)
(1) The Personal Assistant to the Surgeon General with the Government of Bombay.	City of Bombay.
(2) The Civil Surgeon in the district ...	All districts except the Surat, Sholapur and Bijapur districts
(3) The District Health Officer ...	Surat, Sholapur and Bijapur districts.

H-II Bk H 160—63